

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

**GARY LEWIS BROWN
ADC #115152**

PLAINTIFF

v.

Case No. 4:19-cv-00564-LPR-JTR

**DEPUTY PARKER, Pulaski County Jail,
SERGEANT CARDER, Pulaski County Jail,
LIEUTENANT BRAWLEY, Pulaski County Jail,
SHERIFF ERIC HIGGINS, Pulaski County Jail,
SERGEANT D. MUSADDIQ, Pulaski County Jail,
MAJOR M. BRIGGS, Pulaski County Jail**

DEFENDANTS

ORDER

The Court has received and reviewed a Partial Recommended Disposition from United States Magistrate Judge J. Thomas Ray. (Doc. 13). Plaintiff Gary Lewis Brown has not filed any objections, and the time to do so has now passed. After careful review of the Partial Recommended Disposition and the record, the Court concludes that the Partial Recommended Disposition should be, and hereby is, approved and adopted as this Court's findings in its entirety.


IT IS THEREFORE ORDERED that:

1. Plaintiff Gary Lewis Brown may PROCEED with his excessive force claim against Deputy Parker and Sergeant Carder. The Clerk is directed to prepare Summonses for those Defendants. The United States Marshal is directed to serve the Summonses, Complaint, Amended Complaint and Second Amended Complaint (Docs. 2, 4, 6), and this Order, on the aforementioned Defendants at the Pulaski County Detention Facility, without prepayment of fees and costs or security therefore.¹

¹ If any Defendant is no longer employed by Pulaski County, the individual responding to service must file a **sealed** statement providing the unserved Defendant's last known private mailing address.

2. The claims against Lieutenant Brawley, Sergeant D. Musaddiq, Major M. Briggs, and Sheriff Eric Higgins are DISMISSED without prejudice. Pursuant to 28 U.S.C. § 1915(a)(3), the Court certifies that an *in forma pauperis* appeal of this Order would not be taken in good faith.

IT IS SO ORDERED this 12th day of April 2021.



LEE P. RUDOFSKY
UNITED STATES DISTRICT JUDGE